

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DICK VAN DUJIN,

Plaintiff,

Docket No. 5:19-cv-5223-PKH

- against -

HOG RADIO, INC.

Defendants.

DECLARATION OF RICHARD LIEBOWITZ, ESQ.
IN RESPONSE TO ORDER TO SHOW CAUSE

I, RICHARD LIEBOWITZ, hereby swear under the penalty of perjury that the following is true and correct to the best of my personal knowledge:

1. I serve as lead counsel for Plaintiff Dick Van Dujin (“Plaintiff”) in this action and respectfully submit this declaration in response to the Court’s order to show cause, dated February 27, 2020 [Dkt. #13]

2. On November 30, 2018, I, as the founding member of Liebowitz Law Firm, PLLC, at 11 Sunrise Plaza, Suite 305, Valley Stream, NY 11580-6111, entered into a legal services agreement with COPYTRACK GmbH, with address of Dresdener Strabe 31, 10179, Berlin Germany (“Copytrack”) to prosecute copyright infringements in the United States courts on behalf of photographers who enter into a contract with Copytrack (the “Copytrack Agreement”).

3. Pursuant to the terms of the Copytrack Agreement, I was expressly authorized to

file lawsuits on behalf of those photographers who enter into contractual relationships with Copytrack. This statement is affirmed by the sworn declaration of the Plaintiff, filed concurrently herewith.

4. By virtue of this privity of contract, I had the express authority to file the present copyright infringement action on behalf of the named plaintiff, Dick Van Dujin, even though I did not directly communicate with the plaintiff before instituting this lawsuit.

5. Based on the foregoing, and also because this case is meritorious, I respectfully request that the Court permit this case to proceed on the merits, rather than ordering a dismissal without prejudice.

Dated: March 24, 2020

Valley Stream, NY

/s/richardliebowitz/

RICHARD LIEBOWITZ